

HOUSE BILL 1915
By Ritchie

AN ACT to amend Tennessee Code Annotated, Title 8; Title 16
and Title 17, relative to the filing of certain reports by
certain county officials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 16, Chapter 3, Part 5, is amended by
adding the following as a new section:

Section____.

(a)(1) When the supreme court makes its annual report, the court shall
include a specific finding as to whether the appropriate county official is filing the
reports required under §16-21-107(4)(B), §16-21-111, and Rule 11(II) of the
supreme court.

(2) The supreme court shall, in consultation with the comptroller, establish
criteria for determining what is required for a county official to be in substantial
compliance with the reporting requirements referred to in
subdivision (1) and how such compliance can best be determined and
monitored.

(b) After publishing notice of such noncompliance in its annual report, the
supreme court shall, in consultation with the comptroller, send a letter to the
commissioner of finance and administration. Such letter shall inform the
commissioner that a particular county official is in noncompliance with the

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reporting requirement and that no further compensation increases pursuant to Tennessee Code Annotated, Section 8-24-102, shall be made to that particular county official until the official is in compliance. A certified copy of such letter shall be sent to the noncomplying county official.

(d) Once a county official has been determined to be out of compliance with the reporting requirements, and the letter described in subsection (c) of this section has been sent, the burden shall be on such county official to demonstrate to the comptroller that the county official is in substantial compliance with such requirements. The comptroller may establish criteria for determining what is required for a county official found to be in noncompliance with such requirements to return to substantial compliance and how such compliance must be proven and monitored.

(e) If the comptroller determines that a noncomplying county official has returned to substantial compliance, it shall send a letter so stating to the commissioner to whom the letter was sent pursuant to subsection (c) of this section. Upon receiving such letter, the commissioner shall once again begin processing and paying the salary increases authorized by §8-24-102. Provided, however, a county official who was in noncompliance shall be required to forfeit such reimbursement payments for a period of at least ninety (90) days.

(f) If a county official is in noncompliance for six (6) or more consecutive months, the commissioner of finance and administration is authorized to suspend other funds paid by the state to a county.

(g) At least annually the supreme court shall send to each county official required to file the reports a notice advising the official of the provisions of this act, and that salary increases and other funds paid to counties by the state may be suspended or withheld for failing to substantially comply with the reporting

requirements of §16-21-107(4)(B), §16-21-111, and Rule 11(II) of the supreme court.

SECTION 2. Tennessee Code Annotated, Title 16, Chapter 3, Part 5, is amended by adding the following new section:

The supreme court in consultation with the administrative office of the courts shall establish a grant program available for each county for capital improvements for the county's information processing systems. Such improvements may include wiring or site preparation and computer hardware and software. A grant under this section may not exceed fifty thousand dollars (\$50,000).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.